



6712-01

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket No. 10-210; FCC 16-101]

Relay Services for Deaf-Blind Individuals

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with rules adopted in the Commission's document Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals, Report and Order (Report and Order). This document is consistent with the Report and Order, which stated that the Commission would publish a document in the Federal Register announcing the effective date of those rules.

DATES: 47 CFR 64.6207, published at 81 FR 65948, September 26, 2016, is effective **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. 47 CFR 64.6209, 64.6211, 64.6213, 64.6215, 64.6217, and 64.6219, published at 81 FR 65948, September 26, 2016, are effective July 1, 2017.

FOR FURTHER INFORMATION CONTACT: Rosaline Crawford, Disability Rights Office, Consumer and Governmental Affairs Bureau, at (202) 418-2075, or e-mail Rosaline.Crawford@fcc.gov.

SUPPLEMENTARY INFORMATION: This document announces that, on January 17, 2017, OMB approved, for a period of three years, the information collection requirements contained in the Commission's Report and Order, FCC 16-101, published at 81 FR 65948, September 26, 2016. The OMB Control Number is 3060-1225. The Commission publishes this notice as an announcement of the effective date of the rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy

Williams, Federal Communications Commission, Room 1-C823, 445 12th Street, SW, Washington, DC 20554. Please include the OMB Control Number, 3060-1225, in your correspondence. The Commission will also accept your comments via the Internet if you send them to PRA@fcc.gov.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (844) 432-2275 (videophone), or (202) 418-0432 (TTY).

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on January 17, 2017, for the information collection requirements contained in the Commission's rules at 47 CFR 64.6207, 64.6209, 64.6211, 64.6213, 64.6215, 64.6217, and 64.6219.

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060-1225.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Pub. L. 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060-1225.

OMB Approval Date: January 17, 2017.

OMB Expiration Date: January 31, 2020.

Title: National Deaf-Blind Equipment Distribution Program.

Form Number: N/A.

Type of Review: New collection.

Respondents: Individuals or household; Business or other for-profit; Not-for-profit institutions; State, Local or Tribal Government.

Number of Respondents and Responses: 78 respondents; 3,631 responses.

Estimated Time per Response: 0.5 hours (30 minutes) to 40 hours.

Frequency of Response: On occasion, monthly, quarterly, semi-annually, annually, and one-time reporting requirements; Recordkeeping requirement; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for the information collections is contained in in sections 1, 4(i), 4(j), and 719 of the Communications Act, as amended, 47 U.S.C. 151, 154(i), 154(j), and 620.

Total Annual Burden: 7,995 hours.

Total Annual Cost: \$600.

Nature and Extent of Confidentiality: Confidentiality is an issue to the extent that individuals and households provide personally identifiable information, which is covered under the Commission's system of records notice (SORN), FCC/CGB-3, "National Deaf-Blind Equipment Distribution Program," which became effective on February 28, 2012.

Privacy Impact Assessment: The Commission completed a Privacy Impact Assessment (PIA) on December 31, 2012. The PIA may be reviewed at http://www.fcc.gov/omd/privacyact/Privacy_Impact_Assessment.html. The Commission is in the process of updating the PIA with respect to the Commission's adoption of rules in document FCC 16-101 on August 4, 2016, which converted the pilot program to a permanent program without change to the PII covered by these information collections.

Needs and Uses: Section 105 of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) added section 719 to the Communications Act of 1934, as amended (the Act). Pub. L.

No. 111-260, 124 Stat. 2751 (2010); Pub. L. No. 111-265, 124 Stat. 2795 (2010) (making technical corrections); 47 U.S.C. 620. Section 719 of the Act requires the Commission to establish rules that define as eligible for up to \$10,000,000 of support annually from the Interstate Telecommunications Relay Service Fund (TRS Fund) those programs that are approved by the Commission for the distribution of specialized customer premises equipment designed to make telecommunications service, Internet access service, and advanced communications, including interexchange services and advanced telecommunications and information services, accessible by low-income individuals who are deaf-blind. 47 U.S.C. 620(a), (c). Accordingly, on April 6, 2011, the Commission released document FCC 11-56, published at 76 FR 26641, May 9, 2011, adopting rules to establish the National Deaf-Blind Equipment Distribution Program (NDBEDP), also known as “iCanConnect,” as a pilot program. See 47 CFR 64.610(a) through (k). The FCC’s Consumer and Governmental Affairs Bureau launched the pilot program on July 1, 2012. In an Order released on May 27, 2016, document FCC 16-69, published at 81 FR 36181, June 6, 2016, the Commission extended the pilot program through June 30, 2017, at which time distributing equipment and providing related services under the pilot program will cease. On August 5, 2016, the Commission released the Report and Order, document FCC 16-101, published at 81 FR 65948, September 26, 2016, adopting rules to establish the NDBEDP as a permanent program. See 47 CFR 64.6201 through 64.6219. In document FCC 16-101, the Commission clarified that the pilot program will not terminate until after all reports have been submitted, all payments and adjustments have been made, and all wind-down activities have been completed, and no issues with regard to the NDBEDP pilot program remain pending. Information collections related to NDBEDP pilot program activities are included in OMB Control Number 3060-1146, Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals, CG Docket No. 10-210, which will expire June 30, 2018.

For a period of 60 days following the publication of this document in the Federal Register announcing OMB approval of the information collection associated with the Report and Order, document FCC 16-101, new and incumbent entities may apply for certification to participate in the permanent NDBEDP. To minimize any disruption of service in the transition between the pilot program and the permanent program, the FCC's Consumer and Governmental Affairs Bureau will announce its selection of the entities certified to participate in the NDBEDP permanent program as soon as possible, but such certifications will not become effective before July 1, 2017.

Because the information collection burdens related to NDBEDP pilot program activities overlap in time with the information collection burdens related to NDBEDP permanent program activities, the Commission sought approval for a new collection for the information burdens associated with the permanent NDBEDP.

In document FCC 16-101, the Commission adopted rules requiring the following:

- (a) Entities must apply to the Commission for certification to receive reimbursement from the TRS Fund for NDBEDP activities.
- (b) A program wishing to relinquish its certification before its certification expires must provide written notice of its intent to do so.
- (c) Certified programs must disclose to the Commission actual or potential conflicts of interest.
- (d) Certified programs must notify the Commission of any substantive change that bears directly on its ability to meet the qualifications necessary for certification.
- (e) A certified entity may present written arguments and any relevant documentation as to why suspension or revocation of certification is not warranted.
- (f) When a new entity is certified as a state's program, the previously certified entity must take certain actions to complete the transition to the new entity.
- (g) Certified programs must require an applicant to provide verification that the applicant is deaf-blind.

- (h) Certified programs must require an applicant to provide verification that the applicant meets the income eligibility requirement.
- (i) Certified programs must re-verify the income and disability eligibility of an equipment recipient under certain circumstances.
- (j) Certified programs must permit the transfer of an equipment recipient's account when the recipient relocates to another state.
- (k) Certified programs must include an attestation on consumer application forms.
- (l) Certified programs must conduct annual audits and submit to Commission-directed audits.
- (m) Certified programs must document compliance with NDBEDP requirements, provide such documentation to the Commission upon request, and retain such records for at least five years.
- (n) Certified programs must submit reimbursement claims as instructed by the TRS Fund Administrator, and supplemental information and documentation as requested. In addition, the entity selected to conduct national outreach will submit claims for reimbursement on a quarterly basis.
- (o) Certified programs must submit reports every six months as instructed by the NDBEDP Administrator. In addition, the entity selected to conduct national outreach will submit an annual report.
- (p) Informal and formal complaints may be filed against NEDBEDP certified programs, and the Commission may conduct such inquiries and hold such proceedings as it may deem necessary.
- (q) Certified programs must include the NDBEDP whistleblower protections in appropriate publications.

FEDERAL COMMUNICATIONS COMMISSION.

Marlene H. Dortch,
Secretary.

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